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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,412	12/12/2003	Marc B. Dombrowa	YOR920030348US1	2134

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EXAMINER	
TRUONG, LOAN	

ART UNIT	PAPER NUMBER
2114	

NOTIFICATION DATE	DELIVERY MODE
06/30/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/735,412	DOMBROWA ET AL.	
	Examiner	Art Unit	
	LOAN TRUONG	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 March 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed March 13, 2008 in application 10/735,412.

2. Examiner acknowledged that claim 30 is presented for examination; Claims 1-29 have been cancelled. Claim 30 is newly added.

Response to Arguments

3. Applicant's arguments with respect to claim 30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lenny et al. (US 6,600,614) in further view of Brothers et al. (US 6,789,182) in further view of Lewis (US 6,430,712).

In regard to claim 30, Lenny et al. teach a method of analyzing an error event occurring on a distributed network that includes a plurality of processors, the method comprising:

checking the network to determine if an error event has occurred and if the error event has occurred, reporting the error event for an offline analysis to be performed (*SMART Critical Event Logging operation during on-line and off-line mode, col.. 10 lines 32-48, Critical event occurrence is then logged to the critical event log, col. 3 lines 9-15)*;

determining during the offline analysis if the error event is critical and whether or not online processing is possible (*SMART generates alarm signal and if the command signals imminent failure, backup of data and replacement of disc drive is needed, col. 6 lines 18-26)*;

if the error event is critical, establishing a conditional probability history table containing information concerning events associated with the critical event and the conditional probabilities of associated events during offline processing (*log events corresponding to predefined critical events, table 3 col. 11 lines 26-32)*;

if online analysis is possible, determining during the online analysis a type of event that occurred and determining whether to produce a global alert, synch stop, or machine check alert signal based upon the type of event that occurred (*SMART generates alarm signal and the software on the host computer interprets the alarm signals, the host*

then sends an alarm to the end user or the system administrator to allow for scheduling downtime, col. 6 lines 18-27);

performing conditional probability lookups in a conditional probability history table during the online analysis to determine if a probability that a critical event will occur exceeds a threshold level (*SMART is a reliability predictive technology for predicting or anticipating a failure, col. 5 lines 61-67, wherein SMART only record events or errors types that exceeds the established minimum threshold that is useful for predicting failure, col. 7 lines 49-56)*;

performing preventative action if said threshold level is exceeded (*SMART generates alarm signal and if the report status signal imminent failure, the host computer sends an alarm to the end user or the system administrator for schedule of downtime, backup data and replacement of the disc drive, col. 6 lines 18-27)*;

using offline analysis to update a conditional probability history table and to determine conditional probabilities and to determine when online analysis of a problem is possible (*appending the critical event to the critical event log during off-line data collection mode, col. 3 lines 9-16)*.

Lenny et al. does not but Brothers et al. teach the method of producing a local counter value for each of the plurality of processors in the distributed network (*target processors first initialize with event collection card then the collection control unit updates a FIFO event count stored in the control unit, col. 11 lines 31-65, the control unit increments the event counter each time an event is stored and decrements the event count each time an event is read, col. 12 lines 5-10)*; synchronizing the local counter value at each of the processors with a global

clock (*the time stamp clock of one of the event collection cards acts as a master synchronization clock that synchronizes clocks of the other event collection cards, col. 7 lines 60-63)*; freezing the local counter value for a processor when a critical event associated with the processor occurs (*event count interrupt signifying that event memory has reached a predetermined storage threshold, col. 12 lines 11-19)*; periodically polling the local counters with a system monitor (*CPU may read the event count on a periodic basis when sending the formatted events to host computer, fig. 7, 730, col. 12 lines 11-15)*; determining the type of event that occurred and whether or not to produce a global alert, synch stop or machine check alert signal (*if clock reaches the preset time before the sync signal is received, then sync control unit may stop time stamp clock until the sync signal is received, col. 10 lines 58-64)*;

It would have been obvious to modify the method of Lenny et al. by adding Brothers et al. logging computer event data. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would provide an event logging system that can accurately log events of computer software programs running on processor throughout a distributed system (*col. 2 lines 55-65*).

Lenny et al. and Brothers et al. does not teach but Lewis teaches the method of dynamically filtering events based on a recorded history of information associated with the occurrence of events such that only certain critical events that produce global interrupts are reported to the system monitor (*alarm filtering for certain events to generate an alarm, col. 2 lines 42-45)*;

It would have been obvious to modify the method of Lenny et al. and Brothers et al. by adding Lewis apparatus for inter-domain alarm correlation. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would resolve the overall issues with an increasing complex and larger network that traditionally would required a highly-skilled network administrator to provide a systematize the knowledge of networking expert so that common problems can be detected, isolated and repaired automatically or by a less-skilled personnel (*col. 2 lines 15-45).*

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LOAN TRUONG whose telephone number is (571) 272-2572. The examiner can normally be reached on M-F from 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SCOTT BADERMAN can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Scott T Baderman/
Supervisory Patent Examiner, Art Unit 2114

Loan Truong
Patent Examiner
Art Unit: 2114